

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA I Case No. 17-CR-419 (KMK)  
I  
I  
V. I  
I  
LEIBYS MERCEDES, I  
I  
Defendant I  
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**DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE  
GOVERNMENTS EXHIBITS**

September 28, 2018

Respectfully submitted,

/s/ Chukwuemeka Nwokoro  
Chukwuemeka Nwokoro  
Nwokoro & Scola, Esquires  
For Defendant Leibys Mercedes  
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**DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE  
GOVERNMENT'S EXHIBITS**

The defendant, LEIBYS MERCEDES, through counsel, Chukwuemeka Nwokoro, hereby moves the Court to preclude the following proposed government Exhibits on the following grounds:

| <b><u>Proposed Government Exhibit</u></b> | <b><u>Ground For Preclusion</u></b>                |
|-------------------------------------------|----------------------------------------------------|
| Exhibits 1 to 7                           | Relevance (F.R.E 401 and 403)                      |
| Exhibits 28 to 32                         | Relevance (F.R.E. 401 and 403)                     |
| Exhibit 34                                | Relevance (FRE 401 and 403)                        |
| Exhibits 100 to 105                       | Relevance/Authentication (F.R.E. 401, 403 and 901) |
| Exhibit 200                               | Authentication (F.R.E. 901)                        |
| Exhibits 201 through 215F                 | Relevance/Authentication (F.R.E. 401, 403 and 901) |

|                          |                                                                       |
|--------------------------|-----------------------------------------------------------------------|
| Exhibits 400 through 424 | Relevance/Authentication<br>(FRE 401, 403 and 901)                    |
| Exhibits 500 through 598 | Relevance/Authentication<br>(FRE 401, 403 and 901)                    |
| Exhibits 596 to 599      | Relevance/Authentication<br>(FRE 401, 403 and 901)                    |
| Exhibits 600 through 612 | Relevance/Authentication<br>(FRE 401, 403 and 901)                    |
| Exhibits 700 through 711 | Relevance/Authentication<br>(FRE 401, 403 and 901)                    |
| Exhibits 800 through 815 | Relevance/Authentication<br>Prejudice (FRE 401, 403,<br>404, and 901) |
| Exhibits 816 and 817     | Relevance (FRE 401 and 403)                                           |

Defendant respectfully states that his objections to the government's exhibits includes the above listed objections but does not exclude objections which are not listed above, and defendant Mercedes expressly reserves the right to object at trial to other Proposed Government Exhibits not listed above that were not properly or effectively disclosed and for which defendant did not have a reasonable opportunity to object prior to being offered in evidence at trial.

Respectfully submitted,

/s/ Chukwuemeka Nwokoro  
Chukwuemeka Nwokoro  
Nwokoro & Scola, Esquires  
For Defendant Leibys Mercedes  
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New York, NY 10004  
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**CERTIFICATION**

THIS IS TO CERTIFY that on September 28, 2018, a copy of the foregoing was filed electronically (and served by mail on anyone unable to accept service by electronic filing). Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic filing system.

/s/ Chukwuemeka Nwokoro  
Chukwuemeka